



**The Comptroller General  
of the United States**

Washington, D.C. 20548

## Decision

Matter of: Key Book Service, Inc.  
File: B-226775  
Date: April 29, 1987

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### DIGEST

Mere speculation that agency improperly disclosed price information is rejected in the absence of evidence of a price leak. General Accounting Office does not conduct investigations to establish the validity of such speculative statements.

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### DECISION

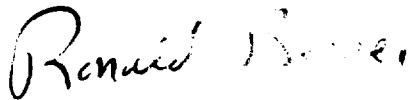
Key Book Service, Inc. protests the award of a contract to Wallace's Book Stores, Inc. under request for proposals (RFP) No. F05611-86-R-0128, issued by the Department of the Air Force for textbooks for the United States Air Force Academy. Key Book suggests, without any supporting evidence, that the agency may have disclosed competitors' prices to various third parties since Key Book was informed by a third party of the name of the eventual successful offeror prior to the receipt of best and final offers and since the successful offeror, in its best and final offer, revised its price downward from its initial offer.

The agency is prohibited from releasing, to the public or to anyone within the government not legitimately interested, information in any proposal prior to acceptance of the winning offer. Colonial Ford Truck Sales, Inc., B-194047, June 27, 1979, 79-1 CPD ¶ 458. The agency denies any improper disclosure of prices and Key Book has offered no evidence in support of its allegation. Without such evidentiary support, we think that Key Book's allegations are speculative and therefore do not provide a valid basis for protest. See Technology, Inc., B-190534, Nov. 16, 1977, 77-2 CPD ¶ 379. We also note that the fact that the successful offeror, as here, reduces its price in the course of making its best and final offer does not establish that prices have been revealed. Nuclear Research Corp., B-189790, Feb. 22, 1978, 78-1 CPD ¶ 147. In this

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regard, Key Book suggests that we conduct an investigation to determine whether prices were leaked. However, we do not conduct investigations pursuant to our bid protest function for the purpose of establishing the validity of a protester's speculative statements. M&H Manufacturing Co., Inc., B-191950, Aug. 18, 1978, 78-2 CPD ¶ 129.

The protest is dismissed. 4 C.F.R. § 21.3(f) (1986).



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